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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

HAROLD H HAWKS,

Petitioner,

No. C 04-01822 JSW

v.

JAMES HAMLET,

**ORDER DENYING MOTION FOR
EXTENSION OF TIME TO FILE
SUPPLEMENTAL TRAVERSE**

Respondent.

This matter comes before the Court upon consideration of petitioner's motion for an extension of time to file his supplemental traverse.

On August 24, 2005, the Court granted respondent leave to amend his answer but also granted petitioner leave to supplement his traverse. The Court ordered the petitioner to file his supplemental traverse within 30 days of that Order. Petitioner requests additional time to file his traverse because of what he contends is the uncertain precedential value of *Sass v. California Board of Prison Terms*, 376 F. Supp. 2d 975 (E.D. Cal. 2005). The Court does not find this to be sufficiently good cause to extend the briefing schedule previously ordered. Accordingly, the motion seeking a thirty day extension of time is DENIED.

In light of the fact that petitioner's motion was filed shortly before the deadline, the Court shall grant petitioner a short extension and his supplemental brief shall be due on Monday, September 26, 2005. There shall be no further extensions of time. If the *Sass* opinion

1 is de-published, petitioner may bring that fact to the attention of the Court in the form of a brief
2 notice.

3 **IT IS SO ORDERED.**

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5 Dated: September 20, 2005

Jeffrey S. White
6 JEFFREY S. WHITE
7 UNITED STATES DISTRICT JUDGE
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